IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 2047 OF 2007

1. Ashok Vishwanath Deshmukh,

2. Meena Ashok Deshmukh. ... Applicants.

V/s.

The State of Maharashtra. ... Respondent.

H.E.Palwe for the applicants.

Ms.M.H.Mhatre, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 20th July 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicants are seeking anticipatory bail in connection with C.R.No.I-61/2007 registered with the Vavi Police Station, taluka- Sinnar for the offences punishable under sections 498-A, 306, 504 read with section 34 of Indian Penal Code (I.P.C.).

3. The Sessions Judge while granting bail vide his order dated 15th June, 2007 to other two co-accused, who were also charged under sections 498-A, 306, 323, 504, 506 rad with section 34 of I.P.C. as observed as under:

> "4. After having considered the record, one can easily observe that prima-facie case for charge under Section 498-A read with Section 34 of the Indian Penal Code is made out and it would be doubtful as of today as to whether the charge under Section 306 of the Indian Penala Code is made out as the victim herself has stated as regards the consumption of excess medicine for the reasons best known to her. In these circumstances, I am of the view that further detention of the applicants is not necesssary and they can be granted bail, of course by putting them to terms and conditions as regards attendance....."

4. In the above view of the mater, the present applicants would also be entitled to pre-arrest bail on parity. In the circumstances, I am inclined to grant bail to the applicant, subject to the following conditions:

> (a) In the event of arrest of the applicants in connection with C.R.No.I-61/2007 registered with the Vavi Police Station, Taluka- Sinnar they shall be released on bail in the sum of Rs.10,000/- each with one suerty to make up the said amount.
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> (c) The applicants shall report to the Vavi Police Station as and when called till the trial is over and shall co-operate with the investigating agency.
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> (c) The applicanst shall not directly or

indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(d) This order of anticipatory bail shall operate till the filing of the chargesheet. After filing of chargesheet, it would be open for the applicant to apply for regular bail before regular court. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

3. Application stands disposed of accordingly.

JUDGE